

CONTESTED DISSOLUTION

King County Family Law Facilitators: Instruction # D-1
Revised Code of Washington 26.09
King County Local Rules

If the case involves minor children, a King County Local Rule requires each party to attend a parenting seminar within 60 days of service of the Petition and prior to the entry of final orders in this legal action. An information sheet regarding this mandatory seminar is available.

STEP 1: OBTAIN THE FOLLOWING FORMS

- [Petition for Dissolution, WPF DR 01.0100 \(Marriage\) or WPF DR 01.0105 \(Registered Domestic Partnership\)](#)
- [Summons, WPF DR 01.0200](#)
- **Vital Statistics**
- [Case Assignment Designation and Case Information Cover Sheet](#)
- [Confidential Information Form \(INFO\), WPF DRPSCU 09.0200](#)
- [Notice Re Dependent of Person in Military Service, WPF DRPSCU 01.0185](#)
- [Return of Service, WPF DRPSCU 01.0250](#)
- [Declaration Regarding Personal Service Outside the State of Washington, WPF DRPSCU 01.0180](#) (if applicable)
- [Findings of Fact/Conclusions of Law, WPF DR 04.0300 \(Marriage\) or WPF DR 04.0305 \(Registered Domestic Partnership\)](#)
- [Decree of Dissolution, WPF DR 04.0400 \(Marriage\) or WPF DR 04.0405 \(Registered Domestic Partnership\)](#)

If the case involves minor children, you will also need:

- [Declaration Regarding Public Assistance WPF DRPSCU 01.0600](#)
- [Declaration in Support of Parenting Plan \(DCLSPP\)](#)
- [Parenting Plan*, WPF DR 01.0400](#)

**Make 2 copies of the Parenting Plan so you can use one as your "Proposed" (to be filed with the other documents) and one as your "Final Order" that you will present when you finalize your dissolution.*

Before signing the final parenting plan, the court will consult the judicial information system and databases, if available, to determine the existence of any information and proceedings that are relevant to the placement of the children.

- [Order of Child Support**, WPF DR 01.0500.](#)
- [Child Support Worksheets** WSCSS – Worksheets \(Marriage\) or WSCSS – Worksheets RDP \(Registered Domestic Partnership\)](#)

***Even if you and your spouse/partner are requesting no child support, you must still*

complete the Worksheets and an Order of Child Support, according to Washington State law (RCW 26.19.035).

STEP 2: COMPLETE FORMS AND MAKE COPIES

Complete the following forms prior to filing:

- Petition for Dissolution (Marriage or Registered Domestic Partnership)
- Summons
- Vital Statistics
- Case Assignment Designation and Case Information Cover Sheet
- Confidential Information Form (***This form, the purpose of which is to protect your privacy, is required at the initial filing of all family law cases.***) This form will only be available to judges, commissioners and other court personnel carrying out the business of the court, and to any state administrative agency that administers programs under Title IV-A, IV-D, or IV-E of the Federal Social Security Act (the Department of Social and Human Services).

If the case involves minor children, you will also need:

- Parenting Plan (Proposed)

After you have completed the forms listed above, make 2 sets of copies of the following forms: Summons, Petition for Dissolution (and Parenting Plan). You will need 3 sets of copies if public assistance was received. **SEE DIAGRAM BELOW**

<i>Originals</i>	<i>Copy Set #1</i>	<i>Copy Set #2</i>	<i>Copy Set #3</i>
File with Clerk: <ul style="list-style-type: none"> • Petition for Dissolution • Summons • Vital Statistics • Case Assignment Designation with Case Information Cover Sheet • Confidential Information Form <p>If applicable:</p> <ul style="list-style-type: none"> • Proposed Parenting Plan 	Have your spouse/partner served with : <ul style="list-style-type: none"> • Petition for Dissolution • Summons • Case Schedule (given to you by the Clerk when you file) <p>If applicable:</p> <ul style="list-style-type: none"> • Proposed Parenting Plan 	Keep for your records: <ul style="list-style-type: none"> • Petition for Dissolution • Summons • Case Schedule (given to you by the Clerk when you file) <p>If applicable:</p> <ul style="list-style-type: none"> • Proposed Parenting Plan 	Mail or Deliver to Prosecuting Attorney if the child(ren) have <u>ever</u> received public assistance: <ul style="list-style-type: none"> • Petition for Dissolution • Summons • Proposed Parenting Plan

STEP 3: TALK TO AN ATTORNEY, IF POSSIBLE

These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will not guarantee you a favorable result. It is always advisable to talk to a lawyer about your problem before filing your action. If you cannot afford to hire an attorney to represent you, you may be able to pay a lawyer to give you advice and review your paperwork for a lesser cost. Contact the King County Bar Association Lawyer Referral Line for information about limited services representation. If you cannot afford these costs, there are limited free legal services available to low income people. Contact the Facilitators' office for a Legal Resource List or the King County Bar Association Lawyer Referral Line for information about resources for low income people. Even if you do not hire a lawyer to represent you, a lawyer can look over your paperwork; give you advice on how to present your evidence, and whether this type of action is right for you.

STEP 4: FILE WITH CLERK

File the originals of the following forms with the Clerk's Office:

- Petition for Dissolution (Marriage or Registered Domestic Partnership)
- Summons

- Vital Statistics
- Case Assignment Designation form and Case Information Cover Sheet
- Confidential Information Form

And, if the case involves minor children:

- Proposed Parenting Plan

You must pay the Clerk a filing fee or file an *Order to Proceed In Forma Pauperis* (waives the filing fee). Ask a Facilitator for information about proceeding In Forma Pauperis.

You will receive two Case Schedules from the Clerk when you file. Keep one copy for yourself and have your spouse/partner served with a copy.

STEP 5: HAVE YOUR SPOUSE/PARTNER SERVED (AND CONTACT A PROSECUTOR, IF APPLICABLE)

Have your spouse/partner served with copies of the following forms:

- Petition for Dissolution
- Summons
- Case Schedule (provided by Clerk)

And, if the case involves minor children:

- Proposed Parenting Plan
- Information on Mandatory Parenting Seminar (provided by Clerk)

Someone other than yourself, who is 18 years of age or older, must serve the other party. (See Facilitator Instruction #S-1 for further information about service.) The Server must complete and sign the *Return of Service*, then return it to you. Make one copy for your records and file the original with the Clerk's Office.

If personal service is made outside the state of Washington, you must also file a "Declaration Regarding Personal Service Outside the State of Washington" (WPF DRPSCU 01.0180), explaining why personal service cannot be made in-state. Failure to file this form invalidates service. File the original with the Clerk and keep a copy for your records.

If the case involves minor children, and if any of the children have ever been on public assistance, you must contact the King County Prosecuting Attorney's Family Support Section as early in your case as possible, and deliver copies of the documents listed in Step 2, above.

In a marriage, if the wife is now pregnant, the husband is the presumed father. This presumption can be challenged up to 2 years after the birth of the child or as otherwise provided in RCW 26.26.500.625. You should consult with an attorney regarding the requirements for legally establishing the parentage of a child if

either you or your spouse believes the husband is not the father.

STEP 6: WAIT FOR RESPONSE

Response Deadlines:

20 DAYS, if by personal service in the State of Washington.

60 DAYS, if by personal service outside of the State of Washington, or if by publication.

90 DAYS, if by mail.

If your spouse/partner does not respond by the response deadline see Facilitator Instruction #D-4, *Dissolution by Default in Ex Parte*. (Ninety-One days must pass before your dissolution can be finalized.)

If your spouse/partner does respond, you must follow your Case Schedule. You will have a trial in approximately 11 months, unless the parties are able to reach agreement on all issues prior to trial. Facilitators cannot assist you with trial preparation.

Note: If you and the other party are able to come to agreement on all issues at any time before your trial and at least 91 days have passed since you served the other party, see Facilitator Instruction #D-3, *Agreed Dissolution*; you can finalize your dissolution in the Ex Parte courtroom and avoid a trial. You will need to schedule a hearing in Ex Parte with a Note for Motion Docket form, for either Kent or Seattle. Fill in the names of the parties and the case number at the top of the form. Choose a hearing date that will be at least 14 days from the day you will file the Note for Motion Docket. You may choose any weekday that is not a court holiday. Your hearing will be at 1:30 p.m. Fill in the date and day of the week for your hearing. The “Nature of Motion” will be an “Agreed Dissolution.” Locate the box entitled “Ex Parte Motions” and check the boxes that say “Final Decree” and “No Attorney.” Complete the section that asks for your signature, name, and service address and complete the second page of the form. File this form with the Clerk’s office at least 14 days before the day you have scheduled for your hearing. When you go to your hearing, bring the **signed, completed** originals of the following:

- Findings of Fact/Conclusions of Law (Marriage or Registered Domestic Partnership)
 - Decree of Dissolution (Marriage or Registered Domestic Partnership)
- (continued on next page)

If you have minor children of this marriage or partnership, you must also bring these **signed, completed** originals:

- Parenting Plan
- Order of Child Support
- Child Support Worksheet WSCSS – Worksheets (Marriage) or WSCSS – Worksheets RDP (Registered Domestic Partnership)

Even if you and your spouse/partner are requesting no child support, you must still complete the Worksheets and an Order of Child Support, according to Washington State law (RCW 26.19.035). .

If you will be filing copies of financial documents (tax returns, pay stubs, etc.), you should also complete:

- Sealed Financial Source Documents cover sheet to be attached to the financial documents being filed.

Both parties should **sign all** of the final documents. Your hearing will be in the Ex Parte Department.

If you must go to trial, you will need to bring the completed originals of the following forms with you to your trial:

- Findings of Fact/Conclusions of Law (Marriage or Registered Domestic Partnership)
- Decree of Dissolution (Marriage or Registered Domestic Partnership)

If you have minor children of this marriage or partnership you will also need:

- Final Parenting Plan
- Order of Child Support
- Child Support Worksheets (Marriage or Registered Domestic Partnership)
- Financial Declaration
- Sealed Financial Source Documents cover sheet with copies of financial documents (income tax returns, pay stubs, etc)

WARNING: These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will not guarantee you a favorable result. It is always advisable to talk to a lawyer about your problem before filing your action. (You may be able to hire a lawyer for a small fee to review your completed forms and talk about your problem but not represent you in court). If you need a lawyer, contact the Family Law Facilitators' Office for a *Legal Resource List* or call the King County Bar Association.